



DAVIS MOUNTAIN

COMMUNICATION SITE PLAN



Prepared by the United States Bureau of Land Management
Twin Falls District
Shoshone Field Office
Shoshone, Idaho
May 2005

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DAVIS MOUNTAIN COMMUNICATION SITE PLAN

I. INTRODUCTION

Communication facility siting requests for the use of public land continue to be active in Bureau of Land Management (BLM) field offices throughout Idaho. Demand for new communication sites is due in part to advances in communication technology, strong consumer interest, and a 1983 Federal Communication Commission (FCC) decree which established wireless carrier coverage requirements. The FCC decree basically requires licensed cellular carriers to provide coverage to either 75% of the population of a given market or to serve 75% of the geographic area of a given market.

Davis Mountain is an established communication site located within the Mount Bennett Hills, a minor range of mountains overlooking an area of the Snake River Plain to the south and the Camas Prairie to the north. The communication site is situated at an elevation of 6800', approximately 1800' higher than the valley floors to the north and south. One major highway, State Highway 20, runs in an east-west direction about nine miles north of Davis Mountain. Access to the communication site is provided by a desert road known as the Hill City Road which connects to other dirt roads which access the communication site. The communication site falls within the administrative boundaries of the BLM Shoshone Field Office.

This Communication Site Management Plan has been developed to document and evaluate the existing communication site and facilities located on Davis Mountain. The plan provides an outline for orderly future development of the site in conformance with the Shoshone Field Office's current land use planning document, the Bennett Hills/Timmerman Hills Management Framework Plan (MFP). This communication site management plan will also replace the Davis Mountain Communication Site plan written and approved by BLM over twenty years ago (February 10, 1984).

Current BLM supplemental program guidance (SPG) for resource management planning specifies that every planning document shall contain determinations relevant to communication sites. The Bennett Hills/Timmerman Hills MFP, approved in 1976, does not discuss specific details needed for the proper management of communication sites. Also, portions of the original Davis Mountain communication site management plan are no longer applicable or outdated. Therefore, in order to supplement the land use planning document, this site

management plan has been prepared to address specific issues found on the Davis Mountain communication site.

Approved lessees or right-of-way holders, tenants, and customers with facilities currently located on Davis Mountain are shown in the Users' Table, Appendix D. Additional tenants or customers may be accommodated within the confines of existing authorized communication facilities as long as such additions are in compliance with the terms and conditions of authorized leases or right-of-way grants and with the supplemental direction contained in this site plan. Requests for new communication site facilities may be authorized at the discretion of BLM's Authorized Officer through the issuance of new Communications Use Leases, or in some cases, by the issuance of right-of-way grants.

A. Definitions

The terms used in this Site plan conform as much as possible to the definitions published in the November 13, 1995 Federal Register notice entitled "Rights-of-way, Rental Schedule for Communication Uses; Final Rule and Notices" and to definition clarifications provided in BLM's Communication Site Right-of-way Handbook (H-2860-1).

The terms "lessee" or "holder" as used in this site plan refer to the legal relationship between the United States Bureau of Land Management and the holder of a BLM authorization. Unless otherwise noted, the terms are considered synonymous. The terms "lease" or "right-of-way" refer to an authorization issued by the BLM. These terms may also be used synonymously. The terms "customer" and "tenant" refer to the relationship between the lessee and other parties accommodated in the lessee's facility.

The term "tenant" is defined as an occupant who rents space in a facility and operates communication equipment in the facility to resell the communication service to others for a profit.

The term "customer" is defined as a person or entity who is paying the facility owner or tenant for communication services, and is not reselling communication services to others.

A "Ranally Metro Area" represents Rand McNally's definition of the developed areas around important cities. The areas include one or more central cities, satellite communities, and suburbs, in most cases with a combined population of at least 50,000. Rand McNally has identified 452 RMAs, 417 of which have populations of 50,000 or more.

"Personal Communications Services" (PCS) is a Federal Communications Commission (FCC) term describing two-way personal, digital wireless communications systems.

An Internet Service Provider: (ISP) is a person or business who provides customers with connections to the Internet, either through ground wires or by wireless technology.

”Low Power Use” is defined for purposes contained in this document as a transmitter operating at less than 1000 watts Effective Radiated Power (ERP).

B. Abbreviations

1. BLM - Bureau of Land Management
2. FM - Facility Manager
3. ROW - Right-of-way
4. RMA - Ranally Metro Area
5. FLPMA – Federal Land Policy & Management Act of 1976 (P.L. 94-579)
6. PCS – Personal Communications Services
7. NEPA – the National Environmental Policy Act of 1969
8. SF-299 – Standard Form 299 (Right-of-way Application Form)
9. ESMR – Enhanced Specialized Mobile Radio
10. ISP – Internet Service Provider
11. ERP – Effective Radiated Power
12. ANSI – American National Standards Institute
13. TIA – Telecommunications Industry Association
14. EIA – Electronic Industries Alliance

C. Relationship of the Davis Mountain Site Plan to Communications Use Leases

This site plan will be incorporated into all future new leases issued for the Davis Mountain Communication Site. The plan will also be included in any renewed leases or right-of-way grants. Provisions of the site plan are enforced through the right-of-way or lease authorization. Each lessee is expected to incorporate mandatory BLM lease and site plan requirements into any subsequent agreements with the lessee’s tenants and customers. The lessee is also responsible for enforcement of said requirements involving the lessee’s tenants and customers.

D. Site Location/Physical Features

Davis Mountain lies at the western end of the Mount Bennett Hills within a large block of public land administered by the Bureau of Land Management, Shoshone Field Office. Access is provided by the Hill City Road and other desert roads which are not maintained by the BLM or county during the winter months. Due to the high cost of providing power to the communication site, no commercial power is currently available on site.

The Latitude and Longitude of the communication site is roughly 43 degrees 12 minutes North Latitude, 114 degrees 54 minutes West Longitude. The legal description of the site is as follows:

T. 2 S., R. 13 E., Boise Meridian
sec. 28, SESE;

E. Population Served

Due to Davis Mountain's elevation above the surrounding plain, wireless communications travel a substantial distance from the butte. However, the area served from the communication site, including a portion of the Snake River Plain and portions of the Camas Prairie, is rural and sparsely populated. One community served from the site is the town of Fairfield, Idaho which has a population of only 400. Larger communities, including Jerome, Buhl, Filer, and others are located to the south, but may be out of service range of the current low-power communication providers established on the mountain.

For annual rental purposes, communication facilities operating on Davis Mountain are considered to fall within BLM's Fee Schedule Zone 9 which assumes a service population of less than 25,000. In addition to serving the rural farming and ranching operations in the area, mobile radio coverage from the mountain extends to travelers of Highways 20 and 46.

F. Communication Site Background

The State of Idaho was first to establish a communication facility on Davis Mountain in 1976. Since extending commercial power to the communication site was too costly, the state installed solar panels to satisfy its power requirements. Only one additional communication facility has subsequently located on the mountain. A brief history of each authorization is shown below.

IDI-9150: State of Idaho Department of Administration

Type of Authorization: Right-of-way grant (FLPMA)

Authorized Use: Base and mobile radio relay

Rental: Exempt

Site Size: 100' X 100' (0.23 acre)

Tower: Wooden pole, 20' with 10' antenna

Building: Pre-fab 8' X 16'

Access: Access road (24' X 2401') is included in the lease

--08/10/76: Original grant issued

--08/10/81: Grant renewed

--09/03/86: Grant renewed

--08/05/91: Grant renewed

--12/31/2021: Grant expires

IDI-20308: MKR LLC

Type of Authorization: Communications Use Lease

Authorized Use: Two-way radio/repeater

Rental: Annually adjusted rent schedule–Zone 9

Site Size: 50' X 100' (0.115 acre)

Tower: Triangular, self-supporting, steel, 30'

Building: Pre-fab, fiberglass 5.4' X 8' X 8'

Access: Lease is silent

--05/02/84: Original grant issued to Randy Quigley

--04/15/94: Grant renewed

--06/07/2002: Grant assigned (Quigley to Kent Searle)

--07/09/2003: Grant assigned (Searle to MKR LLC)

--04/14/2004: Communications Use Lease issued

--04/14/2019: Lease expires

II. EXISTING SITUATION

Davis Mountain currently accommodates only low-power two-way radio and radio repeater uses due to the need for facilities to operate with solar panels. The site could possibly accommodate other uses such as microwave or passive reflectors which require only small amounts of power. However, use of the site for high-power uses, such as cellular phone, TV or radio stations, is not expected to be a factor unless a future communication provider bears the cost of extending commercial power to the communication site. The last communication facility to occupy Davis Mountain was twenty-eight years ago.

III. OBJECTIVES

Note: Upon renewal of expiring authorizations, existing communication site holders/lessees will not be required to upgrade or retrofit existing installations to meet current applicable building code requirements or new standard site plan requirements unless a safety issue or interference issue is identified.

Objectives of this site plan are as follows:

- To document site management policy, procedures, and standards which are not specified in BLM's standard Communications Use Lease.
- To manage Davis Mountain to accommodate all types of communication site uses as long as future uses are constructed in such a way as to avoid any frequency interference problems.
- To establish communication guidelines for operations within the communication site.

- To determine present and future road maintenance responsibilities as site use increases and new leases are approved.
- To protect the interests of authorized site users by preserving a safe and electronically “clean” environment. Any future high-power users must be located at an adequate distance from existing low-power users to avoid interference problems.
- To encourage efficient development and joint use of space and facilities whenever possible within the boundaries of the communication site.
- To encourage new lessees to build sites capable of collocation.
- To maintain the visual integrity of the communication site by considering design standards that utilize earth tone colors and non-reflective surface materials consistent with approved Land Use Plan guidelines, if any.

IV. STANDARDS

Development and management of the Davis Mountain Communication Site shall be subject to the following requirements which are in addition to the terms, conditions, and stipulations contained in approved Communications Use Leases or Right-of-way grants. In the event of conflict between the terms of this plan and terms of an approved Communications Use Lease or Right-of-way grant, the LEASE/GRANT LANGUAGE GOVERNS.

A. Designated Site Area

The BLM Authorized Officer will designate or agree to the size of each new communication site lease. Leases will be limited in size to the minimum acreage needed to accommodate a facility.

B. Utility Development

Whenever physically possible, utility lines or cables needed in the immediate vicinity of the communication sites shall be buried. The presence of bedrock or extremely rocky soils may in some cases prevent the installation of buried utility lines or make such installation extremely difficult or expensive. In these instances the BLM Authorized Officer will determine if an above-ground line is permissible.

C. Holder/Lessee Review

Existing right-of-way holders or lessees will be given the opportunity to review and comment on new communication lease applications proposed to be located on Davis Mountain. New lease applications and technical data information filed with the Bureau of Land Management will be copied and forwarded to each authorized lessee

or holder and processed as described in Section IV.F. **Lease or right-of-way holders proposing to accommodate additional tenants or customers in their facilities will be responsible for notifying all other lessees or right-of-way holders on Davis Mountain and sharing appropriate information regarding the proposed additions or changes.** It is strongly suggested that lessees/holders involve any tenants and customers in the review process. Generally, the advanced notification/review period shall be a minimum of 15 days, but this time frame may be adjusted by the BLM Authorized Officer depending on specific circumstances.

D. Buildings and Antenna Support Structures

General Requirements

All new structures must meet the design and construction requirements of current applicable building codes.

New proposals shall be designed as much as possible to take advantage of vegetative and topographic screening. Proposals must provide sufficient data so that the visual compatibility of the proposal, landform, vegetation changes, and lighting can be evaluated. Consideration of a vegetative gap or fire break around the proposed facility, to reduce wildfire hazards, shall be included in the design of any new proposals or to proposed significant modifications to existing facilities.

All new approved facilities shall be capable of accommodating multiple tenants/customers unless the requirement is waived by the BLM Authorized Officer. For security and other reasons, Federal or other governmental entities may be exempted from the requirement to provide space for commercial communication site uses.

Whenever feasible, proposed new site users will be required to locate their equipment in or on existing facilities unless the requirement is waived by the BLM Authorized Officer. Reasons for consideration of a waiver include, but are not limited to the following:

- Verified instances of unfair business practices involving the current communication site lessee(s)/holder(s).
- Technical incompatibility problems which cannot be reasonably resolved in an existing facility.

The BLM reserves the right to issue new compatible Communications Use Leases on Davis Mountain at any time providing uses are compatible.

No new communication site facilities will be authorized until the application process described in IV.F. has been followed. This process includes

consideration of site availability, physical, environmental, and technical capability of a proposal, and the future management of the communication site.

Buildings

1. Building designs should include provisions for multiple separate equipment rooms to accommodate additional tenants or customers unless this requirement is waved by the BLM Authorized Officer.
2. Exterior surfaces shall be manufactured or painted with flat, non-glossy (matte-finish) paint or stain to blend with the natural colors of the landscape. The color used shall simulate the “Standard Environmental Colors” designated by the Rocky Mountain Five-State Interagency Committee. Proposed paint or finish colors must be approved by the BLM Authorized Officer.
3. All new building designs shall be generally uniform in shape and roof style and approved in advance by the BLM Authorized officer.

Antenna Support Structures

1. All antenna support structures shall be constructed and maintained in a neat and safe condition in accordance with good engineering practices and tower manufacturer specifications.
2. Future towers proposed for Davis Mountain shall be monopoles or self-supporting to optimize the use of the communication site. Proposals for guyed towers will be considered by BLM on a case by case basis.
3. Towers/Antenna support structures shall conform to FAA and State of Idaho Department of Aeronautics’ lighting requirements. As of the date of this plan, the FAA generally requires towers higher than 200’ to be lighted according to FAA Advisory Circular 70/7460-1K Change 1. The State of Idaho Department of Aeronautics generally requires lighting on towers higher than 150’. These are general requirements only. Tower lighting may be required on shorter towers if the towers are determined to be a hazard to air flight (e.g. located near an airport or VFR flyways).
4. All metallic structural materials shall be galvanized, plated, coated, or painted unless otherwise approved by the BLM Authorized Officer. Dissimilar metals shall not be placed in contact with each other in such a manner that could create a galvanic junction.
5. Physical deterioration of a structure, which may weaken the structure or cause electromagnetic interference, shall be corrected within a time frame specified by the BLM Authorized Officer.

6. Security fencing, anti-climbing devices (e.g. removable steps), or other appropriate measures shall be implemented to discourage unauthorized climbing of towers.

E. Fences

1. Security fencing should be considered at each communication site facility to reduce potential vandalism problems and to provide for public safety.
2. Metallic fencing shall be grounded to prevent electrical interference. Fencing material shall be neutral medium gray or color blended to blend with the surrounding environment.

F. New Site Proposals and Existing Site Amendments

When a new customer or tenant use cannot be accommodated by existing lessees within existing facilities, the following application process will be followed:

1. Application Submissions

Forms (SF-299) are available from any BLM office and on the web at www.blm.gov/nhp/what/lands/realty/forms/299/index.html.

Note: An application is not considered complete and cannot be processed until all information deemed necessary by the BLM Authorized Officer is provided in an acceptable format. Submission of an application **does not** guarantee approval of a Communications Use Lease or issuance of a Right-of-way grant.

- a. Pre-application Activity: Applicants interested in occupying the Davis Mountain Communication Site are encouraged to discuss proposals, prior to filing a formal application, with the Bureau of Land Management, Shoshone Field Office. Guidance and information will be shared at the pre-application meeting and the application process will be explained.
- b. Need or Justification for a Project: New applicants will be required to demonstrate a valid need to occupy Davis Mountain and the reasons existing communication facilities will not reasonably accommodate that need.
- c. When An Application (SF-299) Is Required: The filing of a new or amended application is required for the following proposed actions:
 - New facilities (sites, buildings, antennas, etc.).
 - Significant building modifications (size, shape, additions).

- Significant tower modifications.
- Changes in Type of Use (e.g. PCS site to Microwave site).
- Changes in the ownership of existing facilities (assignments).
- Renewals of expiring authorizations.

Applications must be accompanied by the following items:

- Completed application form (SF-299).
- Copy of FCC license, construction permit, frequency assignment, station license, or NTIA/IRAC authorization. If a license has not been issued, then a copy of the applicant's application is required.
- Copy of FAA form 7460-1 or FAA approval letter.
- Complete BLM Technical Data Report listing the applicant's authorized frequencies (if applicable).
- Complete Site/Plot Plan showing:
 - o Ties to existing site monuments (if available).
 - o Size (acreage & dimensions) of proposed communication site.
 - o Location, size, and design of proposed facilities (buildings, tower, etc.) to be located within the proposed communication site.
 - o Land ownership of lands to be impacted (including ownership of land crossed by any needed access road or utility lines).
 - o Legal description (Township, Range, Meridian, Section, Alocut Part to 40 acres) of the proposed communication site, access road, utility lines or other appurtenances.
 - o Estimated time frame for commencement and completion of construction.

Applications for proposed communication sites on Davis Mountain should be filed with the following office unless otherwise directed:

Bureau of Land Management
 Shoshone Field Office
 400 West F Street
 Shoshone, ID 83352

d. User Notification: In addition to the items listed in "c" above, Facility Owners/Facility Managers will be required to notify all communication site users in the vicinity when the following activities are contemplated. A 15-day comment period should be provided:

- Additions of frequencies.
- Changes in frequencies.
- Changes in transmitter power output (TPO).
- Changes in antenna efficiency or ERP.
- Type or Class of Service changes.

- Changes in location of transmitters.
- Other conditions or situations as required by the BLM Authorized Officer.

2. Application Processing

Note: In order to accelerate the processing of an application, an applicant may be asked to contribute to the environmental documentation or inventory process. This contribution may consist of contracting cultural resource inventories, contracting biological inventories, (e.g. Special Status Species), or in some cases, contracting the preparation of an entire environmental document.

- Application is filed with the appropriate BLM Field Office.
- Applicant is notified of a required, non-refundable filing fee. The non-refundable filing fee must be paid prior to any formal application processing. The establishment of a filing fee is an appealable action subject to review by the Interior Board of Land Appeals
- County governments, impacted right-of-way holders, and other affected or interested publics are notified of the filed application.
- Inventory work is completed to BLM standards and an environmental document is prepared to fulfill the requirements of the National Environmental Policy Act of 1969 (NEPA) and other applicable laws and regulations.
- Unless the applicant's application is rejected, a Communications Use Lease or Right-of-way grant is prepared and forwarded to the applicant for review, acceptance of the required stipulations, signature, and payment of required right-of-way rental charges.
- Upon return of the above items to the appropriate BLM office, an authorizing document is issued by the BLM.

G. Tenant Information

All lessees or right-of-way holders must maintain a list of tenants or customers accommodated within their facilities along with tenant/customer charges and a current price schedule for all provided services. These lists must be made available to the BLM Authorized Officer upon request.

H. Facility Identification

1. The assigned BLM Serial Number shall be visibly posted on or within all authorized communication sites, preferably on or near the door of equipment buildings, if buildings are present.
2. Upon request of the BLM Authorized Officer, the lessee/holder shall furnish an AutoCad drawing detailing the location of lessee's structures, facilities, and appurtenances including any authorized access roads or utility

lines. As an option, the lessee shall add the above information to an AutoCad drawing provided by the BLM.

I. Signs

Any signs required by law, authorized agencies, or stipulated by the BLM will be provided and installed by the lessee/holder in accordance with standards and instructions provided by the BLM. Hazard warning devices will be used when and where needed. Approved color coding for onsite hazard warnings are as follows:

Object Markers	White and black stripe
Construction signs:	Orange background
Warning signs:	Yellow background
Regulatory signs:	White background

No advertising signs or displays shall be posted on site.

J. Electrical Components, Power Transmission/Distribution Lines, Electronic Considerations

1. Electrical Components

- a. Common Grounding System: When feasible, a common grounding system should be developed and shared by all lessees/holders on the communication site. All facilities should be connected to the grounding system following appropriate ANSI/TIA/EIA standards.
- b. All electrical facilities, equipment, and their installation should conform to the current National Electrical Safety Code or local building codes and regulations, whichever are more stringent.
- c. Communication site structures should be designed for maximum lightning protection through bonding and appropriate grounding. All equipment, cabinets, towers, and exposed metal should be connected to a common ground at each individual site. Lightning protection devices should be installed on the top of every appropriate structure.
- d. Standards and specifications for raceways, switching, grounding, wiring methods, and materials should at a minimum be equivalent to those prescribed by the National Fire Protection Association in its most current National Electrical Code.
- e. All permanent AC wiring shall be installed in approved electrical conduit.

2. Power Transmission/Distribution Lines

- a. All new or replacement external power transmission/distribution lines shall be 100% shielded with a UV-resistant covering.
- b. All external connectors shall be made watertight and installed per manufacturer's instructions.
- c. All internal lines shall be double braided or solid shielded and jacketed.
- d. Transmission/distribution lines shall not be left un-terminated. Lines must be terminated in their characteristic impedance.

3. Electronic Considerations

a. Transmitters

--All transmitters shall have protective devices (circulators, cavities, duplexers, low pass filters, etc.) designed into or externally installed to reduce as much as possible direct interference to other site users.

--All transmitters shall be FCC type accepted or meet type acceptance criteria.

--The direct radiation of out-of-band emissions (e.g. noise, spurious harmonics) shall be reduced to a minimum level such that the emissions cannot be identified as a source of interference.

--All transmitters not in immediate use and not specifically designated as standby equipment shall be removed.

--When technically feasible, transmitters should be combined to reduce overall antenna mass and height.

b. Receivers

--All receivers shall have sufficient "front end" pre-selection or installed cavities as needed to prevent receiver-produced intermodulation or adjacent channel interference.

c. Antennas

--All antennas not in immediate use shall be terminated in their characteristic impedance (Z_0) to prevent re-radiation of intercepted signals or noise.

--All broken or defective antennas shall be immediately repaired or promptly removed from the site.

d. Microwave Dishes

--Microwave dishes shall be compatible with other uses at the site. New microwave dish proposals must show that projected microwave beam paths will not cross or interfere with any existing microwave beam paths in the vicinity.

e. Noise Levels

--New lessees, holders, customers, or tenants will not subject current authorized users of the communication site to a noise level greater than 10db below the currently measured "noise floor" on all frequencies reasonably removed from the holder's own frequency, thereby not causing any measurable degradation to existing receiver performance. This requirement will be accomplished by the use of bandpass type filters and any Hub type filter that may be necessary.

4. Interference

a. New lessees, holders, customers, and tenants may be required to furnish an intermodulation study by an independent, qualified engineer not associated with the applicant, or other pertinent data pertaining to the effects of the proposed facilities on existing site users. It will be the lessee's responsibility to ensure that lessee's tenants and customers comply with these standards.

b. If allowed by the lessee's/holder's authorizing document, new tenants/customers may be added to site facilities without advanced BLM approval. Lessees/holders are still required to notify and coordinate with other authorized site users to resolve any potential interference problems before new uses are allowed. The preferred notification process would be for lessee's/holders to send a copy of a completed BLM Technical Data Sheet to all affected parties at least 15 days prior to the installation of proposed new equipment or frequencies, with an information copy to the BLM, Authorized Officer.

c. All site users shall cooperate in locating and eliminating interference.

d. If interference problems arise, the following procedure will be implemented:

--A tenant/customer who is experiencing interference will work with and through their facility owner/manager to ascertain if the interference is coming from other users in the same facility or from an adjoining facility.

--If the interference is determined to be from within the same facility, it is the joint responsibility of the lessee/holder and tenant/customer to resolve the problem.

--If the interference is determined to be from another source or facility, the lessee/holder of the affected facility will contact the lessee/holder of the suspected source of the interference. Lessees/holders will work together with their customers and tenants to resolve the problems.

--Should the lessee/holder of the interfering facility not be able to resolve the problem or is unwilling to resolve the problem, the lessee/holder who is experiencing interference will notify the FCC and BLM Authorized Officer of the impasse. The FCC and BLM will take appropriate action within the limits of their jurisdiction. Generally, the existing lessee/holder experiencing interference will retain preference over a new user or amended use causing interference that cannot be corrected. New users or existing users making changes will be responsible for all costs associated with resolving an interference problem caused by their facilities.

e. Signal propagation corridors will be protected. No structure will be allowed to interfere with an existing microwave path or other directional radiation pattern.

K. Roads, Access, Common Parking Areas

1. Lessees/holders are required to participate in the Davis Mountain Road Maintenance Agreement, if an agreement has been written and approved by the BLM. If no road agreement has been written, all users are expected to contribute to the joint-maintenance (including weed control) of communication site access roads as determined by the Users Association (if formed) and/or by the BLM Authorized Officer.

2. Common parking areas (if present) shall be maintained in conjunction with periodic access road maintenance. Roads and parking areas will be constructed and maintained to minimize the risk of soil erosion.

L. Housekeeping Items

1. Communication sites shall be kept free of stray or excess materials, debris, etc. which may increase the “noise floor” of authorized users on site and potentially create intermodulation problems.
2. Each lessee/holder is responsible for weed control within the boundaries of the lessee’s/holder’s approved communication site.
3. Lessees/holders are responsible for painting and maintaining buildings and other structures in good condition. Paint colors shall be approved as determined by the BLM Authorized Officer. The repainting of buildings and facilities with previously approved colors do not need BLM re-approval.
4. Lessees/holders are required to comply with BLM requirements regarding the use of pesticides/herbicides. No chemicals shall be stored on site. Lessees/holders are responsible for the disposal of old building materials containing asbestos and old electronic components containing PCBs, if applicable.

M. Site Inspections

The Bureau of Land Management reserves the right to conduct site inspections of communication site facilities whenever deemed necessary. The site inspections will consist of three types:

1. Physical inspections of towers and facilities (exterior) and individual communication site lots to ensure sites are properly maintained (See Housekeeping Items, Section N). Lessees/holders will be contacted and asked to correct any problems within a reasonable period of time, generally 30-60 days.
2. Inspections of Communication equipment (interior) to ensure information submitted annually on Inventory Worksheets is complete and accurate for rental calculation purposes. Any discrepancies between reported information and the on-site inspection will be documented and corrected as appropriate. Lessees/holders will be notified and invited to participate in these inspections.
3. Joint site inspections of BLM and specialists from the Federal Communications Commission (FCC) will be conducted periodically to inspect equipment and frequencies. Lessees/holders will be notified and invited to participate in these inspections.

N. Relinquishments/Terminations

If a communication facility is no longer needed, the lease or right-of-way grant may be relinquished with the concurrence of the BLM authorized officer. Prior to acceptance of the relinquishment, the lessee and BLM authorized representative shall arrange a joint inspection of the lease area. The inspection shall be held to discuss and develop an acceptable termination and rehabilitation plan. This plan shall include removal of facilities, drainage structures, surface material, recontouring, topsoiling, and seeding of the site.

If termination of a lease or right-of-way grant becomes necessary due to non-compliance with the terms and conditions of the authorizing document, the lessee/grantee shall be contacted and given a reasonable opportunity to correct the problem or deficiency. If not corrected within a reasonable period of time, to the satisfaction of the BLM authorized officer, the authorization shall be terminated following the procedures found in current regulations at 43 CFR 2803-4.

V. COMMUNICATION SITE USERS ASSOCIATION (FUTURE)

In order to facilitate the optimal use and development of the Davis Mountain Communication Site, a Users Association may be formed at the discretion of the authorized users. The primary function of the Association will be to provide advice to the BLM. The Association will have no enforcement jurisdiction over users of Davis Mountain, since the role of the Association will be entirely advisory.

Lessees/holders will be encouraged to join and be active participants in the Association. The Association will be made up of one (1) individual representing each authorized lease or right-of-way grant and one (1) tenant or customer selected by the other tenants or customers with facilities on site, or if necessary, by the BLM Authorized Officer. Associations will be encouraged to meet a minimum of once each year. Business conducted by conference calls, e-mail, or regular mail may be considered a “meeting” as long as such correspondence is properly documented. Constitutions, Bylaws, or other documents prepared by the Association must be approved by the BLM’s Authorized Officer prior to implementation.

If users do not elect to form an Association, BLM will continue to manage all aspects of the communication site within BLM’s authority.

A. Suggested Functions of the Association

1. To draft and administer a road maintenance agreement for vehicular access to Davis Mountain.

2. To assist the BLM with evaluations of proposed communication site additions or changes including new leases, amended leases, or significant changes in existing facilities.
3. To assist the BLM/FCC with frequency interference problems or other conflicting problems involving users located on Davis Mountain.
4. To perform periodic site inspections of the communication site and facilities, in coordination with BLM, to determine general site condition (including weed problems) and to identify any potential site interference or management problems.

B. Association Longevity/Terms of Officers

Officers will serve two-year terms unless otherwise agreed to by the members of the Association. At a minimum, serving officers should consist of a chairperson and secretary/treasurer.

Associations will be considered active as long as one (1) business meeting is held at least every two years.

VI. Communication Site Plan Review/Revisions

The **Davis Mountain** Communication Site Plan will be reviewed every five years to determine if a revision of the plan is needed. Active lessees/holders will be invited to participate in any revision process.

DAVIS MOUNTAIN COMMUNICATION SITE PLAN

Approved by: Bureau of Land Management, Shoshone Field Office

/S/ Oliver A. Payne

Oliver A. Payne
Field Manager,
Shoshone Field Office

May 19, 2005

Date